



## **FREMONT PLANNING BOARD**

**May 5, 2010**

### **Meeting Minutes**

Approved May 19, 2010

Present: Chairman Roger Barham, Vice-Chair and CC Rep. John (Jack) Karcz, Selectman Brett Hunter, Members John (Jack) Downing, Derek Downing, Alt./ Building Official Thom Roy, and Land Use AA/Recording Secretary Meredith Bolduc.

Also present: Andy Kohlhofer

Mr. Barham opened the meeting at 7:05 pm.

#### **MINUTES**

At 7:05 pm Mr. Karcz made the motion to approve the minutes of the April 28, 2010, meeting as written. Motion seconded by Mr. J. Downing with unanimous favorable vote except for Mr. Barham who abstained as he was not present at that meeting.

#### **CTAP PHASE 1**

##### **Housing Chapter of the Master Plan**

Mr. Groth reported that there is more work that needs to be done to update the Housing Chapter of the Master Plan than he first anticipated and he needs more time to complete it. There is more data that needs to be worked on. He said that the 2010 census data will be out by fall and he suggested to not bring the Housing Chapter to Public Hearing until that data is available and can be incorporated into it. Mrs. Bolduc asked if was necessary to draw up and sign another contract. She noted that the cost of the update to this chapter was originally approved to be funded through the CTAP Phase I discretionary funds with an original completion date of December 2008. Mr. Groth said that Rockingham Planning Commission has agreed to fulfill the conditions of the original contract to update the Housing Chapter of the Master Plan and they will not bill the Town of Fremont for this service.

Mr. Roy asked if waiting for the census data will just continue to delay the output. He noted that the Master Plan is a revolving document that does not need to be tied to the timeline of other data. Mr. Barham said the census follows a regimented pattern of solid data and he feels the data is worth waiting for because it will put all other data into context. The consensus of the Board is to agree with Mr. Groth and wait for the census data for completion of the update to the Housing Chapter of the Master Plan. Mr. Groth agreed to have all information for the Housing Chapter update, except for the census data, for the Members to review at the May 19, 2010 meeting.

There was a discussion relative to the Build-out Analysis which the Board continues to wait for. The Board is also waiting for the final Open Space Plan. Mr. Roy said that we have paid out tens of thousands of dollars for these items and they should be done by the agreed completion timeline.

#### CTAP PHASE II- DARK SKIES; FUTURE LAND USE; MASTER AUDIT

Mr. Groth said that the Planning Board previously agreed to act as the sub-committee for updating the Future Land Use Chapter of the Master Plan (to include the new Commercial Zone) and he suggested a special meeting just for this topic, because it is likely to be lengthy. The Members agreed to meet at 7:00 pm on May 12, 2010 for a special work session to discuss the amendment to the Future Land Use Chapter of the Master Plan only.

Mr. Groth said that the Master audit will take a little longer than the end of May. He is hoping to get a draft to the Board sometime the end of June.

#### CAPITAL IMPROVEMENTS PROGRAM (CIP) PROCESS

As part of the 2010 Targeted Block Grant (TGB) (completion date of June 30, 2010), on December 30, 2009 the Board contracted with RPC to work with the Planning Board, department heads and the office of Selectmen to establish a defined annual update process for the Capital Improvements Program. This included the preparation and submittal of materials as well as establishing protocols and submission deadlines that will streamline the annual update process. RPC is to provide one (1) final copy of all elements of the CIP annual update process.

Mr. Groth reported that he does not have an update on the CIP. Mr. Barham said that it is just about developing the program, establishing the CIP process and getting it delivered. Rockingham Planning Commission is going to be coordinating the departments.

Mr. Roy asked if RPC is going to train the Board, do a tutorial and involve the department heads on the process. Mr. Groth said he will have Mr. Greenwood contact the Land Use Office to come up with a timeline to begin the process.

#### OPEN SPACE PLAN

Mrs. Bolduc reported that yesterday she spoke with RPC Planner Julie LaBranche who advised her that she is almost finished with some additional information to the Open Space report and she anticipates submitting it to the Planning Board for final review by their June 2, 2010 meeting.

#### WATER RESOURCE MANAGEMENT PLAN – NRI Section of the Master Plan

The Board continued their review of the Water Resource Management Plan.

Below in italics is from April 21 meeting:

*The Board agreed to the following:*

*Under Non-Regulatory Programs: (from the April 21, 2010 meeting)*

- *Items 3, 4, 5, 6, & 7: Mr. Groth was to research the information for these sections.*
- *Item 8: Mr. Karcz was to check the recent draft of the fluvial geomorphology study for water quality monitoring.*

Mr. Karcz said water quality is mentioned, but the concentration is on run-off. He asked if the interest is in drinking water quality. What is the focus of the plan?

- *Under Regulatory Programs: The 1992 WRMPP will be reviewed to see which of these programs have already been accomplished and which ones need to remain in the plan.*
- *Recommendations from the Existing NRI: need to be verified.*
- *Designation of the Exeter River as a Rural River: Mr. Karcz will bring this issue to the Conservation Commission to see if this has been done. (the CC meets next on May 17)*

Mrs. Bolduc will contact someone at the State level to find out what the designation means.

#### EXCAVATION OPERATIONS

There was a conversation relative to having the Town Engineer accompany the Members on the site visits for excavation operations beginning next year. The Board also talked about increasing the excavation permit renewal fees to cover the cost of the permit. The current fee is \$250 now so if it were increased anything over that could go into an escrow account for the engineering fee to review the site. This would be money spent and not returned to the owner.

Mrs. Bolduc agreed to look at RSA 155-E to see if this is legal according to the excavation laws and Mr. Hunter agreed to speak to Town Administrator Heidi Carlson to see if this can be done.

#### GEORGE MERRILL/FREMONT PARK

Map 4 Lot 015

Beede Hill Road

Mr. Karcz reported that at 10:45 am on May 3, 2010 he and Mr. Downing and Mr. Roy met Gary Merrill at the site of the Merrill Excavation operation on Beede Hill Road (Map 4 Lot 015). Mr. Karcz stated on the comment sheet:

*Comments: It looks like the grass planted last year is slow to not getting established. We looked for the benchmark. Gary found the benchmark after we left. We returned and marked it with a white circle. We observed a loam pile in Area 8 that is on the edge of the wetland. That pile would be better if moved away from the edge.*

*Recommendations: Need to have an elevation for the benchmark be provided. Need to monitor the reclamation seeding.*

Mr. Karcz reiterated what he wrote in the comment sheet. Mr. Roy said the Board should send a letter advising Mr. Merrill that there is a loam pile at the edge of the wetland that should be moved, he is to provide benchmark elevation and the Planning Board will continue to monitor the quality of the reclamation. The Board agreed.

#### JOHN GALLOWAY

Map 5 Lot 035

Shirkin Road

Mr. Karcz reported that at 11:45 am on May 3, 2010 he and Mr. Downing and Mr. Roy met John Galloway at the site of the Galloway Excavation operation on Shirkin Road (Map 5 Lot 035). Mr. Karcz stated on the comment sheet:

*Comments: We found the benchmark in front of the scale. Drilling for blasting on the remainder of the ledge. We notice a large pile of material.*

*Recommendations: The ledge is nearly gone and Mr. Galloway expects to move his operation to the left of the road as you come in. The Seacoast Farms operation is on the left side of the road at this point.*

The Board was satisfied with the condition of the excavation operation and will renew the permit on or before June 30, 2010.

## SEACOAST FARMS

Map 5 Lot 035

The Board received a May 5, 2010 complaint of offsite odor relative to the Seacoast Farms Compost site as logged by Code Enforcement Officer Thom Roy.

There was a discussion relative to the Seacoast Farms operation. Mr. Karcz said that there is a large pile of material that is building from material of what seems to be waste product that left over from the compost process and is not taken off the site. Mr. Downing agreed that it is an extensive pile. Mr. Karcz said that Mr. Galloway related to them at the May 3, 2010 site visit of the Galloway excavation operation, which is on the same property, the Mr. Kelly has told him he can sell the material. Mr. Roy said that it appears the perimeter of the compost operation now includes an 8 to 10' high berm. There was a discussion relative to have the Town Engineer do a site visit.

Mr. Groth reviewed the RSA for junkyards and said that definition of the tailings pile suggests a junkyard as referenced in the NH RSA. It was agreed that the limitation of the site plan should be determined.

Mr. Roy offered to research the permitted Site Plan and report back to the Board at the next meeting. He will also send Doug Kemp at DES a letter telling him that he needs to visit the site to observe the piles of tailings.

## SITE PLAN REVIEW REGULATIONS

Mr. Karcz said he feels the Site Plan Review Regulations should have an article that says the Planning Board will review a permitted site every 5 years and reserve the right to amend the approved site plan. Mrs. Bolduc will call the Local Government Center to see if this is legal, or feasible, and report back to the Board at the next meeting.

## MAGNUSSION, C.L.

Map 2 Lot 070

The Board received an April 27, 2010 correspondence from C. L. Magnusson relative to his property being in the Commercial Highway Zone. They also reviewed an April 29, 2010 answering correspondence to Mr. Magnusson from Mrs. Bolduc.

Mrs. Bolduc related that Mr. Magnusson has requested to meet with the Board and is scheduled for June 2, 2010.

## INCOMING CORRESPONDENCES

There were no incoming correspondences.

Mr. Karcz made the motion to adjourn at 8:25 pm.

Motion seconded by D. Downing with unanimous favorable vote.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary

Next meeting: May 12, 2010 work session; Future Land Use Chapter of the Master Plan.

Next regular meeting: May 19, 2010.

#### ACTION ITEMS

From the April 21, 2010 meeting.

- Mr. Groth: WRMMP - Items 3, 4, 5, 6, & 7
- Mr. Karcz: will check the recent draft of the fluvial geomorphology study for water quality monitoring.
- Mr. Karcz: will speak to the CC relative to the Designation of the Exeter River as a Rural River.
- Mr. Roy: will review the 1992 WRMP to see which programs have already been accomplished and which ones need to remain in the plan.
- 

From the May 5, 2010 Meeting.

- Mr. Groth: agreed to have all information for the Housing Chapter update, except for the census data, for the Members to review at the May 19, 2010 meeting.
- Mr. Groth: will submit the Master Audit by the end of May. (TBG item)
- Mrs. Bolduc: letter to Gary Merrill relative to the Board's recommendations for the Gravel site.
- Mrs. Bolduc: contact the State relative to the Designation of the Exeter River as a Rural River.
- Mrs. Bolduc: will review RSA 155-E relative to escrow
- Mrs. Bolduc: will call the Local Government Center about the legality of the Board reviewing a permitted site (Site Plan Review) every 5 years and reserve the right to amend the approved site plan.
- Mr. Hunter: will speak to Town Administrator Heidi Carlson to see if this can be done.

## PROJECTS PENDING WITH RPC

- CTAP DOT Build-out- funded with CTAP Phase I Funds = **\$10,000**; original completion date of October 28, 2009; moved to end of 2009 – near completion to date.
- Housing Chapter of the Master Plan - funded with CTAP Phase I Discretionary Funds = **\$5,000**; original completion date of December 2008, moved to September 23, 2009; then November 18, 2009; then December 31, 2009. Still pending.
- Inclusionary Housing Zoning Ordinance – funded with CTAP Phase I Discretionary Funds = **\$5,000**; original completion date of May 19, 2009; moved to November 4, 2009. Complete.
- Open Space Plan - funded with CTAP Funds = **\$10,000**; original completion date of May 19, 2009; moved to a tentative completion date of September 16, 2009; final presentation February 24, 2010.
- CTAP Road Map = January 13, 2010- Complete.
- Water Resource portion of the NRI Chapter of the Master Plan – funded with the Targeted Block Grant (TGB) and the Towns share (**\$2,000**) has been paid; original completion date of June 30, 2009; final draft August 5, 2009 – moved to August 31, 2009; then to November 4, 2009, then to end of 2009. Still pending.
- Dark Skies Ordinance - Funded with CTAP Phase II funds = **\$1,750**; completion date of August 1, 2010.
- Future Land Use MP Chapter Update- Funded with CTAP Phase II funds = **\$2,000**; completion date of August 1, 2010.
- Master Plan Audit - Funded with CTAP Phase II funds = **\$3,500**; completion date of August 1, 2010.
- Public Utilities Chapter of the MP update – Funded with the 2010 Targeted Block Grant; (TGB) completion date of June 30, 2010. Paid Towns share of **\$1,000** in December 2009.
- GIS Maps for Public Utilities Chapter of the MP - Funded with the 2010 Targeted Block Grant (TGB); completion date of June 30, 2010. Paid Towns share of **\$1,000** in December 2009.
- CIP Annual Process - Funded with the 2010 Targeted Block Grant (TGB); completion date of June 30, 2010. Paid Towns share of **\$1,000** in December 2009.
- Provide one (1) final paper copy and one (1) electronic version of the updated MP. Provide one (1) final copy of all elements of the CIP annual update process- Funded with the 2010 Targeted Block Grant (TGB); completion date of June 30, 2010. Paid Towns share of **\$1,000** in December 2009.

Updated project timeline table below.

## 2009 – 2010 Rockingham Planning Projects – CTAP and Non-CTAP

## CTAP Phase I

Projects CTAP Phase I	Status	2008 Dec	2009 19 May	2009 28 Oct	2009 04 Nov	2010 13 Jan	2010 17 Feb	2010 24 Feb	2010
<b>Build Out</b>	Pending Final product			Original Comple tion date			Final Presenta tion		
<b>Housing MP</b>	Pending	Projected Completion date							
<b>Inclusionary Ordinance</b>	Complete				Complete				
<b>Open Space Plan</b>	Pending Final product		Original completion date					Final Present ation	
<b>CTAP Road</b>	Complete					Complete			

---

Map

---

CTAP Phase II

Projects CTAP Phase II	Status	2010 1 Aug
Dark Skies Ordinance	Pending	Projected Completion date
Future Land Use MP Chapter	Pending	Projected Completion date
Master Plan Audit	Pending	Projected Completion date

---

NON-CTAP

Projects Non-CTAP	Status	2009 30 June	2010 30 June
WRMPP (2009 TBG)	Pending	Original Completion date	
Public Utilities - MP (2010 TBG)	Pending		Completion Date
GIS Maps for Public Utilities – MP (2010 TBG)	Pending		Completion Date
CIP Process Submittal Materials	Pending		Completion Date
1 final copy of updated MP, CIP elements	Pending		Completion Date

---